

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
BRYSON CITY DIVISION**

CIVIL CASE NO. 2:10cv27

LINDA D. HARRISON,

Plaintiff,

v.

**MICHAEL J. ASTRUE,
Commissioner of Social Security,**

Defendant.

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ORDER

THIS MATTER is before the Court on the Plaintiff's Petition for Attorney Fees under the Equal Access to Justice Act 28 U.S.C. §2412. [Doc. 17]. The Defendant has consented to the award. [Doc. 18].

The parties agree the appropriate award of attorney's fees is the amount of Five Thousand Seven Hundred Ninety-Five Dollars and Eighty-Four Cents (\$5,795.84) in full satisfaction of any and all claims by the Plaintiff in this case pursuant to the Equal Access to Justice Act (EAJA), 28 U.S.C. §2412(d). The parties also acknowledge the Plaintiff's signed assignment of EAJA fees dated September 28, 2010 pursuant to which the Plaintiff assigned any awarded EAJA fees to her attorney. [Doc. 17-3]. The Court finds that the Commissioner

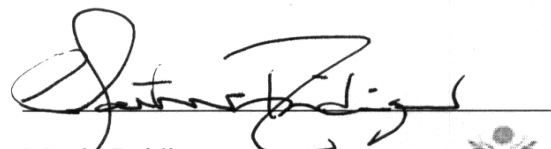
should accept this assignment of the awarded fees by the Plaintiff to her attorney and shall pay that award of fees directly to Plaintiff's counsel provided it is shown that as of the date of this Order, the Plaintiff does not owe any debt to the United States Government which is subject to offset. Astrue v. Ratliff, ___ U.S. ___, 130 S.Ct. 2521, 177 L.Ed.2d 91 (2010).

IT IS, THEREFORE, ORDERED that the Plaintiff's Petition for Attorney Fees under the Equal Access to Justice Act 28 U.S.C. §2412. [Doc. 17] is hereby **GRANTED** and the Plaintiff is hereby awarded attorney's fees in the amount of Five Thousand Seven Hundred Ninety-Five Dollars and Eighty-Four Cents (\$5,795.84) which sum is in full satisfaction of any and all claims by the Plaintiff in this case pursuant to 28 U.S.C. §2412(d).

IT IS FURTHER ORDERED that the Commissioner shall inform Plaintiff's counsel whether the Plaintiff owes a debt to the Government by which this fee award may be offset no later that thirty (30) days from entry of this Order.

IT IS FURTHER ORDERED that no additional Petition pursuant to 28 U.S.C. §2412(d) may be filed.

Signed: April 3, 2012


Martin Reidinger
United States District Judge

